



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

WOODS FULLER SHULTZ  
& SMITH P.C.  
ATTN: JEFFREY A. PROEHL  
P.O. BOX 5027  
SIOUX FALLS SD 57117

COPY MAILED

JUN 30 2008

In re Application of

Daniel J. Reed

Application No. 09/944,009

Filed: August 31, 2001

Attorney Docket No. 00-1048

DECISION ON PETITION

This is a decision on the petition under 37 CFR §1.137(b), June 13, 2008, to revive the above-identified application.

The petition is **granted**.

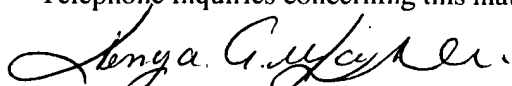
This application became abandoned for failure to timely remit the issue fee of \$720.00 as required by the Notice of Allowance and Issue Fee Due (the "Notice") mailed November 18, 2005. The Notice set forth a three (3) month statutory period for reply. No response was received within the allowable period. Accordingly, this application became abandoned on February 19, 2006. A Notice of Abandonment was mailed May 4, 2006.

The above-identified application has been abandoned for an extended period of time. The Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting the statement that the entire delay in filing the required reply form the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. See Changes to Patent Practice and Procedure, 62 Fed. Reg. at 53160 and 53178; 1203 Off. Gaz. Pat. Office at 88 and 103 (responses to comments 64 and 109) (applicant obligated under 37 CFR 10.18 to inquire into the underlying facts and circumstances when providing the statement required by 37 CFR 1.137(b) to the Patent and Trademark Office. If, after further investigation, applicant discovers that the delay was other than unintentional, applicant must immediately contact the Office.

The issue fee and Form PTOL-85-b were received on June 13, 2008.

The application is being forwarded to the Office of Data Management for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3222.

A handwritten signature in cursive script, appearing to read "Kenya A. McLaughlin".

Kenya A. McLaughlin  
Petitions Attorney  
Office of Petitions